

ASSEMBLY BILL

No. 2618

Introduced by Assembly Member Nestande

February 19, 2010

An act to amend Sections 27297.7 and 27387.1 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2618, as introduced, Nestande. Local government: county recorder.

Existing law authorizes the Los Angeles County Board of Supervisors and the Riverside County Board of Supervisors to adopt a resolution to authorize the county recorder to notify the party or parties executing a deed, quitclaim deed, or deed of trust.

This bill would extend this authorization to the board of supervisors of every county in the state.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27297.7 of the Government Code is
2 amended to read:
3 27297.7. (a) Following adoption of an authorizing resolution
4 by the ~~Board~~ *board* of ~~Supervisors of the County of Riverside~~
5 ~~supervisors, the County Recorder of the County of Riverside county~~
6 ~~recorder~~ may, within 30 days of recordation of a deed, quitclaim
7 deed, or deed of trust, notify by mail the party or parties executing
8 the document. The recorder may require, as a condition of

1 recording, that a deed, quitclaim deed, or deed of trust indicate the
2 assessor's identification number or numbers that fully contain all,
3 or a portion of, the real property described in the legal description.
4 If the description contains more than one assessor's parcel, all
5 assessor's parcels shall be indicated. The form of the entry shall
6 be substantially as follows:

7 Assessor's Identification Number ____-____-____.

8 (b) This section shall not apply to the recordation of any
9 document where the federal government, or state, county, city, or
10 any subdivision of the state acquires title.

11 (c) The failure of the county recorder to provide the notice as
12 permitted by this section shall not result in any liability against
13 the recorder or the county. In the event that the notice is returned
14 to the recorder by the postal service as undeliverable, the recorder
15 is not required to retain the returned notice.

16 (d) Where the county recorder contracts with any party or parties
17 for the performance of the processing or the mailing of the notice,
18 or both, as authorized by this section, the contract shall be awarded
19 by competitive bid. The county recorder shall solicit written bids
20 for the contract in a newspaper of general circulation in the county,
21 and all bids received shall be publicly opened and the contract
22 awarded to the lowest responsible bidder. If the county recorder
23 or his or her designee deems the acceptance of the lowest
24 responsible bid is not in the best interest of the county, all bids
25 may be rejected.

26 SEC. 2. Section 27387.1 of the Government Code is amended
27 to read:

28 27387.1. In addition to any other recording fee, the recorder
29 may collect a fee from the party filing a deed, quitclaim deed, or
30 deed of trust, other than a government entity, pursuant to Section
31 27297.6 or 27297.7, *as the case may be*. The fee shall not exceed
32 the mailing cost of the notice specified in Section 27297.6 or
33 27297.7, not to exceed seven dollars (\$7).